



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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Governor

RICHARD K. SULLIVAN JR.  
Secretary

TIMOTHY P. MURRAY  
Lieutenant Governor

KENNETH L. KIMMELL  
Commissioner

Mark Mastroianni  
Pulte Homes of New England, LLC  
115 Flanders Road, Suite 200  
Westborough, MA 01581

Re: Acton – BRP WP 79 - #X250413  
314 CMR 5.00, Groundwater Discharge Permit  
GW #928-0, Residences at Quail Ridge  
Final Permit

Dear Mr. Mastroianni:

The Massachusetts Department of Environmental Protection ("MassDEP") has completed its review of your application for a groundwater discharge permit (GW #928-0) to discharge up to 34,975 gallons per day (gpd) of treated effluent to the ground at a proposed residential complex located on Skyline Drive in Acton, Massachusetts known as Residences at Quail Ridge.

No comments objecting to the issuance or terms of the permit were received by MassDEP during the public comment period. Therefore, in accordance with 314 CMR 2.08, I hereby issue the enclosed final discharge permit (928-0) which becomes effective upon issuance.

The permit contains specific terms and conditions established for this discharge. Parties aggrieved by the issuance of this permit are hereby advised of their right to request an Adjudicatory hearing under the provision of Chapter 30A of the Massachusetts General Laws and 314 CMR 1.00, Rules for the Conduct of Adjudicatory proceedings. Unless the person requesting the adjudicatory hearing requests and is granted a stay of the terms and conditions of the permit, the permit shall remain fully effective.

The final permit contains a provision stating that should the LLC seek to transfer this permit to another legal entity, it must submit to MassDEP for its approval prior notice of transfer containing a written agreement with the new entity and legal documents demonstrating that this entity meets the requirements of 314 CMR 5.15, and is prepared to assume the duties and responsibilities required by this permit, to include establishment of the required financial assurance mechanisms. Until MassDEP approves the transfer, the LLC shall remain responsible for compliance with the terms and conditions of this discharge permit.

MassDEP has also reviewed engineering design plans for the proposed wastewater collection and treatment system at this development project. MassDEP finds that the plans were prepared in general accordance with MassDEP guidelines and current engineering practices, and hereby approves the plans subject to the following provisions that must be addressed prior to the operation of the treatment facility:

1. Paragraphs C.(1) and (2) of the permit require that the permittee establish two financial assurance mechanisms (FAM's), consisting of an immediate repair and replacement account and a capital reserve account. At least ninety (90) days prior to scheduled start up the permittee shall submit to MassDEP for its approval the financial assurance mechanisms. The permittee shall not operate the facility unless and until the Department has approved the required financial assurance mechanism(s) and the permittee has deposited the initial amounts required to each At least account thirty (30) days prior to the start-up of the permit shall deposit in the approved accounts the required initial escrow amounts and the financial assurance mechanisms are in full force and effect.
2. At least forty-five (45) days prior to the proposed start up of the facility, the permittee shall submit to the Department for its approval a facility operation and maintenance (O&M) manual prepared in accordance with 314 CMR 12.04(1).
3. At least ten days prior to the proposed start up, the permittee shall contact the Department to arrange a date to witness a final hydraulic "clear water" test of all major components at the treatment facility. Actual treatment of wastewater cannot commence until all components are demonstrated to be operating properly. The clear water test shall be conducted by the licensed WWTF operator contracted to operate the facility. A complete set of as-built plans and a copy of the approved O&M manual shall be retained at the site at all times.
4. Prior to the clear water test at the facility the permittee shall install all required groundwater monitoring wells and collect a background sample from each well for the parameters specified in the permit. Copies of laboratory test results, well completion forms, and an updated site plan depicting the monitoring well locations as well as wellhead elevations and initial groundwater levels shall be submitted to the Department.

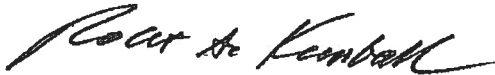
A copy of stamped approved design plans may be obtained at this office for your use. Permittees shall keep at the facility at all times a copy of the approved facility operation & maintenance manual and one set of the final as-built plans, and shall make these available to the Department upon request.

Pursuant to 314 CMR 4.03, starting the fiscal year after the permit is issued, permittees shall pay an annual compliance fee to the Department to cover the cost of compliance activities performed by the Department, to include field inspections and review of Discharge Monitoring Reports.

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GW 928-0  
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If you have any questions concerning this matter, please feel free to contact David Boyer of my staff at (508) 767-2823.

Very truly yours,



Robert A. Kimball, P.E.  
Environmental Engineer V  
Bureau of Resource Protection

Oct. 22, 2012  
Date

Db/hs: gw 928-0 fncvr-002

Encl.

Cc: Acton Board of Health

SS Designs  
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Marybeth Chubb, DEP-Boston

Purna Rao, DEP-CERO, Permit Coordinator